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19 52

**File No.** O. Nurses

Legal Deptl.

A **BRANCH**

p. 5 (E)

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**Subject:—** Opinions under the Bombay Nurses and Mid-wives ~~Act~~ and Health visitors Registration Act, 1925

**File No.** O. Nurses/5·2

Gen. 194 a.

527 A

# CONTENTS.

Legal Department File No. G. Nurses/52.

| Sr. No. | R. L./G. No. | Subject | Pages. |
|---|---|---|---|
| | | Opinions under the Bombay Nurses Midwives and Health visitors Registration Act, 1935. | |
| 1. | ~~7470 5-5-1952~~ | German nurses which Fr. Father John of Germany proposes to bring to India in connection with the Hospital at Shrirampur are not eligible to the enrolled in the Bombay State Register as nurses in view of the provision of Cl(b) of Section 11 of the Indian Nursing Council Act, 1947. | 1-7. |

SVV
9.6.56.
5 p.

Rec'd 6/1/57

## NOTIFICATION.

Local Self Government and
Public Health Department,
Bombay Castle, 1952.

Bombay Medical Practitioners' Act, 1938.

No. .- In exercise of the powers conferred by the proviso to section 32 of the Bombay Medical Practitioners' Act, 1938 (Bom. XXVI of 1938), the Government of Bombay is pleased to amend the Government Notification in the General Department, No. 5550/53, dated the 13th April 1949, as follows, namely:-

In the list institutions specified in the said notification the following institution shall added after entry 19, namely:-

" (20) .....@..... Hospital, Shrirampur, District Ahmednagar."

@ Here insert the name of the hospital.

By order of the Governor of Bombay,

Deputy Secretary to Government,

SVV
9.6.56.
4 c.

NOTIFICATION.

Local Self Government & Public Health Department,
Bombay Castle, 1958.

Bombay Medical Practitioners' Act, 1938.

No. .- In exercise of the powers conferred by the proviso to section 32 of the Bombay Medical Practitioners' Act, 1938 (Bom. XXVI of 1938), the Government of Bombay, is pleased to direct that the provisions of section 32 of the said Act shall not apply to the area occupied by the premises of hospital at Shrirampur.

By order of the Government of Bombay,

Deputy Secretary to Government.

GVV
9.5.56.
& c.

of the Ahmednagar District, but there is power contained in section 18 of the said Act for the State Govt. to approve any Nursing Home carried on by any authority and if such an approval is granted, the provisions of the said Act would not apply to such a Nursing Home.

5. The proposed draft notification at p. 67 is open to objection in respect of the two conditions, namely, requiring (1) that the practice be limited to the Mission Hospital, and (2) that the Mission Hospital undertook to charge fees according to the rules for the charging of fees in Bombay Hospitals. Firstly, it may be pointed out that there already exists a notification issued by the General Department No. 5330/33 dated 13.4.40 (page 63 of file 5330/33) under which medical practitioners employed by the various Mission Hospital mentioned therein have been exempted from the provisions of section 32 of the Act. In their case no such conditions have been imposed. Two courses are open under the proviso to section 32 of the Act; (1) either to say that the provisions of section 32 shall not apply to any class of persons, or (2) to say that they shall not apply to any specified area; but it would not be permissible to combine these and to say that they shallnot apply to any class of persons so long as they limit their practice to any particular area. If the first course is followed it will be sufficient if G.D.Notification No. 5330/33 dated 13.4.1940 is amended in the manner given in draft I appended hereto. If the second course is followed a notification on the lines of draft notification No. II may be issued. The condition that the Mission Hospital at Shrirampur shall charge fee according to the rules for the charging of fees in Bombay Hospitals cannot in any case be imposed under the proviso to section 32 of the Act.

Sd./-
Remembrancer of Legal Affairs

U.R. to L.S.G.& P.H.D. No. 7378
dated the 9th May 1942.